

REMARKS

Non-Compliant Amendment

The Amendment filed December 8, 2005 was considered non-compliant because the marked-up copies of the specification and abstract were not original copies showing the changes thereto and each claim was not provided with the proper status identifier.

Applicants have submitted revised marked-up and clean copies of the specification that correctly show the title and headings as originally filed. Applicants have corrected the status identifiers of claims 3-5 to read "withdrawn-currently amended." Applicants respectfully submit that the present submission satisfies the requirements under 37 C.F.R. § 1.121 and request that the Response be entered.

Pending Claims

Claims 1-17 are pending. Claims 3-9, 11, 16, and 17 have been withdrawn from consideration as allegedly being drawn to non-elected species. Withdrawn claims 3-5 have been amended, and Applicants reserve the right to rejoin the claims to non-elected species once a generic claim has been finally allowed. No new matter has been added.

Claim 1 has been amended to read as follows:

Claim 1 (currently amended): An interlabial pad adapted to be held between the labia of a wearer, comprising:
an elongated planar absorbent body for absorbing body fluid;
a water permeable cover sheet facing a body side and an impermeable support sheet facing a garment side, for covering said absorbent body being sandwiched therebetween;
a peripheral edge bonding area formed by bonding said cover sheet and said support sheet along a peripheral edge of said absorbent body; and
a pull-up body projecting parallel to said absorbent body from said peripheral edge bonding area toward the outside of said interlabial pad for removing said interlabial pad.

Claim 1 reads on the elected species, Fig. 1a and 1b. For example, the figures show an elongated planar absorbent body 13, a cover sheet 11, a support sheet 12, a peripheral edge bonding

area 15, and a pull-up body 18 projecting parallel to the absorbent body from the peripheral edge bonding area.

Specification

The abstract has been amended for clarification and to correct informalities. A substitute specification (a clean copy and a marked-up copy) is provided to correct informalities within the remainder of the specification. No new matter has been added.

Drawings

The drawings have been amended to correct informalities. Fig. 2 has been amended to read "PRIOR ART." Figs. 1(a) and 8 have been amended to use Roman numerals to designate cross-sectional lines. The numeral 50 in Fig. 12 has been amended to point to the discontinuous portion. The description of Fig. 17 has been corrected in the specification.

The written texts in the drawings are required to show the orientation of the figures with respect to a wearer not shown in the drawings.

Description

A substitute specification is provided to obviate the objections to the description. No new matter has been added.

Claim Objections

Objections to the claims have been obviated as above. No new matter has been added.

Claim Rejections – 25 USC §112

Claim 10 has been rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 10 has been amended to obviate this rejection. No new matter has been added.

Claim Rejections – 35 USC §102

Claims 1, 2, and 12-14 have been rejected under 35 USC §102(b) as being anticipated by Brown '875.

Applicants respectfully submit that claim 1 and its dependent claims are not anticipated by the cited prior art, Brown, for at least the following reasons.

Claim 1 recites as follows:

Claim 1 (currently amended): An interlabial pad adapted to be held between the labia of a wearer, comprising:
an elongated planar absorbent body for absorbing body fluid;
a water permeable cover sheet facing a body side and an impermeable support sheet facing a garment side, for covering said absorbent body being sandwiched therebetween;
a peripheral edge bonding area formed by bonding said cover sheet and said support sheet along a peripheral edge of said absorbent body; and
a pull-up body projecting parallel to said absorbent body from said peripheral edge bonding area toward the outside of said interlabial pad for removing said interlabial pad.

Brown does not show at least “a peripheral edge bonding area” and “a pull-up body projecting ... from the peripheral edge bonding area” as set forth in claim 1.

Brown shows a tampon 10 with a pad 12, a fabric covering 20 that encloses the pad 12, and a pair of ends 24 extending beyond the proximal ends of the pad 12. The ends 24 are twisted at 26 to bind the pad 12 tightly (see column 2, line 52 to column 3, line 4). Fig. 3 shows a cross-section of the tampon 10, which appears to show that fabric covering 20 is one continuous fabric without any peripheral edge bonding area.

That is, Brown does not show “a peripheral edge bonding area formed by bonding said cover sheet and said support sheet along a peripheral edge of said absorbent body” as set forth in claim 1 because it appears the covering 20 appears to cover continuously the pad 12 without having

any peripheral edge for bonding the sheets. Therefore, at least for this reason Brown does not anticipate claim 1 and its dependent claims.

Furthermore, Brown does not show “a pull-up body projecting ... from the peripheral edge bonding area” as set forth in claim 1. Therefore, for at least this reason, claim 1 and its dependent claims are not anticipated by Brown.

Claims 1, 2, and 12-15 have been rejected under 35 USC §102(b) as being anticipated by Osborn ‘610.

Claims 1 and its dependent claims are also not anticipated by Osborn for at least the following reasons.

Osborn does not disclose, teach, or suggest “a pull-up body projecting ... from the peripheral edge bonding area” as set forth in claim 1. In Osborn, an optional removal tab 52 is joined to the backsheet 38 of an absorbent interlabial device 20, as shown in Figs. 2 and 3.

Osborn also shows a tampon 86 in Fig. 7 with a string attached to the body. First, this is not an interlabial pad to be disposed between the labia but a tampon that is to be inserted into the vaginal cavity (see page 20, third complete paragraph). Moreover, as the third paragraph on page 20 states, the tampon 86 is to be used together with the absorbent interlabial device 20, therefore, it is clear that the tampon 86 is not an interlabial pad. Therefore, the tampon 86 with the string in Fig. 7 does not anticipate the present invention as set forth in claim 1.

Claim Rejections – 35 USC §103

Claim 10 has been rejected under 35 USC §103(a) as obvious over Osborn ‘610 in view of Wierlacher ‘096.

Claim 10 depends from claim 1, and therefore, for at least the same reason claim 1 would not have been obvious over Osborn in view of Wierlacher, claim 10 would not have been obvious. Osborn does not disclose, teach, or suggest the limitations as set forth in claim 1 as explained above.

It is mentioned here that a person of ordinary skill in the art would not have attached the string of the tampon 86 to the absorbent interlabial device 20 because these are separately entity to be used together. There is not suggestion or motivation in the reference to attach the string of the tampon 86 to the absorbent interlabial device 20.

Wierlacher also does not disclose, teach, or suggest "a pull-up body projecting ... from the peripheral edge bonding area" as set forth in claim 1. Wierlacher may talk about a string but it does not disclose, teach, or suggest where this string is to be attached. Note that a pull-out body is separate and distinct from a minisheet, which Wierlacher's strip 58 may possibly correspond (but not necessarily the same or similar). Note that the strip 58 (i.e. loop) cannot correspond to a minisheet and a pull-out body at the same time. Therefore, even if Osborn and Wierlacher are considered together, a person of ordinary skill in the art would not have found obvious at least a pull-up body as set forth in claim 1 and indirectly in claim 10.

In summary, for at least this reason, claim 1 and its dependent claims are not anticipated by Brown or Osborn. Furthermore, claim 10 would not have been obvious to a person of ordinary skill in the art for at least the reasons set forth above.

Dated: March 28, 2006

By J. Best

Attachments

Application No. 10/705,404
Amendment dated December 5, 2005
Reply to Office Action of August 8, 2005

Docket No.: 20050/0200476-US0



REPLACEMENT SHEET

AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes the following changes:

Fig. 2 has been amended to read "PRIOR ART." Figs. 1(a) and 8 have been amended to use Roman numerals to designate cross-sectional lines. The numeral 50 in Fig. 12 has been amended to point to the discontinuous portion. The description of Fig. 17 has been corrected in the specification. No new matter has been added.

Attachment: Replacement sheet